

REMARKS/ARGUMENTS

The Applicants request that the Examiner consider the following remarks in addition to the above amendments.

Prior to the above claim amendments, the status of the claims was as follows:

1. claims 1-34 and 42-47 were pending in the application;
2. claims 11-14 and 42-47 stood withdrawn from consideration;
3. claims 35-41 had been canceled;

In the 27 April 2009 Office action, claims 1-10, 15-23, and 34 stood rejected under either § 102(b) or § 103(a); and claims 24-33 were indicated as allowable.

Following the entry of the above claim amendments, the status of the claims is as follows:

1. claims 2-21, 26-31, 33, 34, and 44-51 are pending in the application;
2. claims 11-14 and 44-47 stand withdrawn from consideration; and
3. claims 1, 22-25, 32, and 35-43 have been canceled.

As explain further below, the Applicants are requesting rejoinder of withdrawn claims 11-14 and 44-47.

Allowable Subject Matter

According to page 5 of the Office action, claims 24-33 are objected to as being dependent upon a rejected base claim, but "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

The Applicants have rewritten dependent claim 24 as new independent claim 48, which includes all of the limitations of claim 24 and base claim 1. There were no intervening claims between 1 and 24. Claim 24 has been canceled.

The Applicants have rewritten dependent claim 25 as new independent claim 49, which includes all of the limitations of claim 25 and base claim 1. There were no intervening claims between 1 and 25. Claim 25 has been canceled. Claims 26-31, which previously depended directly or indirectly from claim 25 have been amended to depend directly or indirectly from new independent claim 49.

The Applicants have rewritten dependent claim 32 as new independent claim 50, which includes all of the limitations of claim 32 and base claim 1. There were no intervening claims between 1 and 32. Claim 32 has been canceled. Claim 33, which previously depended directly from claim 32 has been amended to depend directly from new independent claim 50.

Claim Rejections - 35 USC § 102(b)

According to page 2 of the Office action, claims 1, 6, 7, 10, 14, 16-19, 22, and 23 stood rejected under 35 USC § 102(b) "as being anticipated by US Pat. No. 6,324,796 to Heath." On pages 2-4 of the Office action, the following, slightly different set of claims are discussed: 1, 6, 7, 10, 16-19, 22, 23, and 34.

Although the Applicants do not necessarily agree with these rejections, in order to expedite prosecution, the Applicants have made the following amendments:

- The Applicants have canceled claim 1, as mentioned above.
- The Applicants have amended claim 6 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 6 now depends from allowable base claims. Claims 7, 10, and 16-19 still depend directly or indirectly from claim 6.
- The Applicants have canceled claims 22 and 23.
- The Applicants have amended claim 34 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 34 now depends from allowable base claims.

The Applicants thus respectfully request that the Examiner reconsider and withdraw the rejection of pending and non-withdrawn claims 6, 7, 10, 16-19, and 34 as being anticipated since each of these claims now depends from allowable base claims.

Claim Rejections - 35 USC § 103(a)

Claims 2-5, 8, 9, 15, 20, and 21 stand rejected under 35 USC § 103(a) "as being unpatentable over US Pat. No. 6,324,796 to Heath."

Although the Applicants do not necessarily agree with these rejections, in order to expedite prosecution, the Applicants have made the following amendments:

- The Applicants have amended claim 2 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 2 now depends from allowable base claims.
- The Applicants have amended claim 3 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 3 now depends from allowable base claims. Claims 4 and 5 still depend directly from claim 3.
- Claim 8 still depends directly from dependent claim 6. As mentioned above, the Applicants have amended claim 6 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 8 also now depends from allowable base claims.
- The Applicants have amended claim 9 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 9 now depends from allowable base claims.

- Claim 15 still depends directly from dependent claim 6. As mentioned above, the Applicants have amended claim 6 to depend from any one of new independent claims 48, 49, or 50. Thus, claim 15 also now depends from allowable base claims.
- Each of claims 20 and 21 still depends directly from dependent claim 16. As mentioned in the last section above, claim 16 still depends directly from claim 6, which the Applicants amended to depend from any one of new independent claims 48, 49, or 50. Thus, each of claims 20 and 21 also now depends from an allowable base claim.

The Applicants thus respectfully request that the Examiner reconsider and withdraw the rejection of pending and non-withdrawn claims 2-5, 8, 9, 15, 20, and 21 as being unpatentable over '796 to Heath since each of these claims now depends from allowable base claims

New Claims 48-51

As fully explained on page 10 above, new independent claim 48 corresponds to now canceled dependent claim 24, new independent claim 49 corresponds to now canceled dependent claim 25, and new independent claim 50 corresponds to now canceled dependent claim 32.

New dependent claim 51 is most similar to dependent claim 45.

Withdrawn Claims 11-14 and 44-47

Withdrawn dependent claims 11 and 12 each depends directly from claim 6, which, as explained above, now depends from each of allowable independent claims 48-50. The Applicants have amended each of withdrawn dependent claims 13 and 14 to similarly depend directly from claim 6.

The Applicants have amended withdrawn dependent claim 44 to depend directly from each of allowable independent claims 48-50.

The Applicants have amended withdrawn dependent claim 45 to depend directly from each of allowable independent claims 48 and 49. Each of dependent claims 46 and 47 depends directly from claim 45, which, as explained above, should now be allowable.

The Applicants thus respectfully request that the Examiner rejoin withdrawn claims 11-14 and 44-47 as depending directly or indirectly from allowable base claims.

Conclusion

The Applicants believe that, in view of the above amendments, each of the pending claims is now in condition for allowance, namely claims 2-21, 26-31, 33, 34, and 44-51. If the Examiner has any further questions, he is encouraged to contact the undersigned attorney.

Respectfully submitted electronically this 27th day of July 2009.

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